

AT THE UNITED STATES DISTRICT COURT FOR THE WESTERN
DISTRICT OF TENNESSEE

Tracy Arnold, Bill Arnold
Plaintiffs,

v.

City of Crump, Larry Wilbanks
(in his Official and Individual Capacity),
Tim Kelly (in his Official and Individual
Capacity), Glen Spencer (in his Official and
Individual Capacity), Randall Warren
Defendants.

Cause # 1:18-cv-01227-STA-jay

RECEIVED BY

JUL 08 2019

Thomas M. Gould, Clerk
U.S. District Court
W. D. OF TN, Jackson

PLAINTIFFS' MEMORANDUM IN SUPPORT TO EXTEND TIME

1 Plaintiffs, Bill Arnold and Tracy Arnold, respectfully asks this honorable Court to ex-
2 tend the deadline to enter an objection to the RR document # 14, pursuant to Federal
3 Rule of Civil Procedure 6(b).

4 **1. INTRODUCTION**

5 1.1. Plaintiffs are Bill Arnold and Tracy Arnold; Defendants are City of Crump, Larry
6 Wilbanks, Tim Kelly, Glen Spencer and Randall Warren.

7 1.2. Plaintiffs sued Defendant's for an unlawful taking of property, compelling involun-
8 tary servitude, violating their right to free association and multiple due process vio-
9 lations.

10 1.3. Magistrate entered a report and recommendation to Defendants' Motion to Dismiss
11 on June 20, 2019 (re: No 14).

12 1.4. Plaintiffs must file a response in opposition to Defendants' Motion to Dismiss by
13 July 5, 2019.

14 1.5. Plaintiffs file this motion to extend time as soon as they had ability.

15 **2. ARGUMENT**

16 **2.1. EMERGENCY SURGERY.**

17 2.1. The court may grant a request to extend time for good cause. Fed R. Civ. P. 6(b)(1)

1 (A); see Jenkins v. Commonwealth Land Title Ins, Co., 95 F.3d 791,795 (9th Cir.
2 1996).

3 2.2. Plaintiffs request an extension of time to file an objection to the Report and Recom-
4 mendation because of emergency medical have interrupted the Plaintiffs' timeline for
5 completing our objections before the deadline.

6 2.2.1. On July 3, 2019, Tracy Arnold at 37 weeks pregnant was admitted through the
7 Hardin Medical Center emergency room. Dr. Gilbert Thayer determined an emer-
8 gency cesarean section was required.

9 2.2.2. Leah Arnold was born at 7:19pm.

10 2.2.3. On July 4 2019 about 2am, Leah Arnold was determined by the attending pedi-
11 atric doctor that she need to be transferred to Jackson Hospital's NICU team.

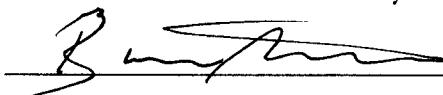
12 2.3. Plaintiffs asks the court to extend the deadline until July 26, 2019 to allow Plaintiffs
13 to have time to attend to Leah and Tracy Arnold's medical requirements.

14 2.4. Plaintiff's request to extend time is for good cause and is not intended to delay these
15 proceedings.

16 3. CONCLUSION

17 For the medical reasons of Tracy's emergency surgery and Leah Arnold being in
18 Neonatal Intensive Care Unit, Plaintiffs ask the court to extend the time to file objections
19 to the Report and Recommendation (No. 14) until July 26, 2019 or later.

Tracy Arnold
1400 Harris Road, Adamsville, Tennessee, 38310
telephone: (423)529-4335
email: tracy@arnoldnet.org

 7/5/19
Bill Arnold
1400 Harris Road, Adamsville, Tennessee, 38310
telephone: (423)529-4323
email: bill@arnoldnet.org

VERIFICATION OF SERVICE

I, Tracy Arnold and Bill Arnold, verify now and will affirm in open court, that all herein be true. I have this day, 7/5/19, delivered a true and correct copy, via USPS, of the following material:

- Plaintiffs' Memorandum in support to extend Time

United States District Court
Western District of Tennessee
Federal Building
111 South Highland Ave #262
Jackson, TN 38301
C# ~~7015 0640 0001 3849 2428~~
7018 0360 0001 1855 2078

RAINEY, KIZER, REVIERE & BELL, PLC
Counsel for: City of Crump, TN,
Larry Wilbanks, Tim Kelly, Glen Spencer
209 East Main Street
Jackson TN 38301
C# ~~7015 0640 0001 3849 2404~~
7018 0360 0001 1855 1935

Randall Warren
Warren's Towing
2305 U.S. Highway 64
Adamsville, TN 38310
C# ~~7015 0640 0001 3849 2411~~
7018 0360 0001 1855 1927

Tracy Arnold
1400 Harris Rd Adamsville, TN 38310
telephone: (423)529-4335
email: tracy@arnoldnet.org

Bill Arnold 7/5/19

Bill Arnold
1400 Harris Rd Adamsville, TN 38310
telephone: (423)529-4323
email: bill@arnoldnet.org